

Department of Permits Approvals and Inspections  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 79941

Brian G. Ruth

8002 Wood Avenue

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on April 20, 2011, for a Hearing on a citation for violations of the Baltimore County Code (BCC) Article 3 Title 6 Subtitle 4 §3-6-401 and 402, failure to comply with Hearing Officer's Order of November 23, 2010

On March 10, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Lewis Mayer issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$10,000.00 (ten thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty shall be the Final Order of the Code Official not subject to appeal.

The Respondent failed to appear at the earlier November 13, 2010 Code Enforcement Hearing, and despite repeated assurances to the contrary the property owner(s) have failed to obtain the appropriate permits and approvals from Baltimore County and continue to be in violation of numerous zoning and County Code requirements. In these circumstances it seems obvious that the mere imposition of a civil penalty will not encourage compliance, and Baltimore County authorities should consider whether this property should be included in the upcoming tax sale given that, after this Order, there will be \$17,500.00 in civil penalties imposed against this property, which can of course be collected in the same manner as real property taxes.

THEREFORE:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$10,000.00 (ten thousand dollars).

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty shall be imposed and placed as a lien upon the property.

ORDERED this 20<sup>th</sup> day of April 2011

Signed: Original Signed 4/20/11  
John E. Beverungen  
Administrative Law Judge

JEB/jaf